

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

GENERAL ELECTRIC CAPITAL CORPORATION,)	
)	
)	
Plaintiff,)	Case No. 08 C 1199
)	
v.)	Judge Lefkow
)	
JAMES S. KOENIG, an individual, and)	Magistrate Judge Mason
ASSET REAL ESTATE & INVESTMENT)	
COMPANY, a California corporation,)	
)	
Defendants.)	

**DEFENDANTS' MOTION FOR EXTENSION OF TIME
TO RESPOND TO PLAINTIFF'S COMPLAINT**

Defendants, JAMES S. KOENIG and ASSET REAL ESTATE & INVESTMENT COMPANY (collectively, "Defendants"), through their counsel, Michael R. Turoff, Jeffrey D. Pilgrim, and Sharilee K. Smentek (Arnstein & Lehr LLP, *of counsel*), request that the Court extend the time Defendants have to respond to Plaintiff's Complaint to and including May 30, 2008. In support of this Motion, Defendants state as follows:

1. On February 27, 2008, Plaintiff filed its Complaint against Defendants, and Defendants were served on or about March 3, 2008. Accordingly, Defendants' responsive pleading to Plaintiff's Complaint was originally due to be filed on or before March 24, 2008.

2. By Orders dated March 25, 2008 (Docket No. 15), and April 17, 2008 (Docket No. 18), the Court granted Defendants' separate unopposed motions for an extension of time to respond to Plaintiff's Complaint. Thus, Defendants' responsive pleading is currently due to be filed by April 30, 2008.

3. In the meantime, counsel for the parties have discussed possible resolution of this matter. Further, Defendants are making their own efforts to effectuate a resolution and have made significant progress in their attempts to do so.

4. Thus, to avoid potentially unnecessary expenditure of judicial resources, time, and expense, and to allow Defendants to focus instead on resolving this matter at an early stage of the litigation, Defendants request that the Court extend the time they have to respond to Plaintiff's Complaint to and including May 30, 2008.

5. Defendants are filing this motion in good faith and not for the purpose of delay.

WHEREFORE, Defendants, JAMES S. KOENIG and ASSET REAL ESTATE & INVESTMENT COMPANY, request that the Court extend the time Defendants have to respond to Plaintiff's Complaint to and including May 30, 2008, and for such other relief this Court deems just and equitable.

JAMES S. KOENIG and ASSET REAL
ESTATE & INVESTMENT COMPANY,

By: s/ Jeffrey D. Pilgrim
One of Its Attorneys

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CERTIFICATE OF SERVICE

Jeffrey D. Pilgrim, an attorney, certifies that on April 29, 2008, he electronically filed the foregoing **Defendants' Motion for Extension of Time to Respond to Plaintiff's Complaint** with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to the following:

Timothy J. Rivelli
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s/ Jeffrey D. Pilgrim

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